

Title VI Plan Review, Acceptance, and Self Certification

Sub-recipients must submit their Title VI plan to MDOT for review and acceptance no later than **November 1, 2004**. Upon request, an extension may be granted. You will be notified of your plans acceptance or advised of required revisions or additions. Annually, no later than September 1, sub-recipients must certify that their plan is still in effect and or advise the department of changes to the plan, i.e., name of new Title VI representative, new policy or procedures implemented in regard to non-discrimination, change of address, etc. *Generally, sub-recipients will not be required to submit an annual Title VI Plan.* The Department, may monitor a sub-recipient's Title VI related activities on a random basis or if an issue arises in regard to Title VI.

What to Consider when Developing your Title VI Plan

Following are initiatives to consider in the development of a proactive approach to Title VI compliance and may provide assistance helpful in the development of a written Title VI policy:

- ***Appoint and Identify the Title VI coordinator or Civil Rights Staff.***
This person or unit has primary responsibility for developing the local government Title VI implementation plan, answering questions on compliance efforts, and investigating complaints.
- ***Is there minority representation on planning boards and commissions?*** Look at the racial makeup of planning and advisory boards. How people are notified of the existence of such bodies, and are they provided an equal opportunity to participate as members? What is the process for selection of board or commission members?
- ***Public notification.*** See what type of citizen participation plan is in place to inform citizens of new and existing program initiatives. Are there mechanisms to disseminate information to minority media and organizations? Are posters and brochures displayed and printed in the language spoken by those affected by the project or program. Reasonable efforts must be initiated to meet the needs of individuals who are Limited English Proficient (LEP). Generally, if 5% or more of the individuals affected by a project or program speak a language other than English, the printing of documents in the language spoken should be considered. How are individuals informed of their rights to file complaints?
- ***Data collection.*** Collect data in regard to the timeliness of services so that claims of nondiscrimination are supported by appropriate data. Collect racial data related to participants in programs and services when appropriate. Data collected should support or document that the program is being operated in compliance with Title VI. Develop a procedure to analyze the data collected to determine whether the eligible service population receives appropriate benefit from your program. Revise policies if necessary.

- ***Complaint procedure.*** Develop a Title VI or discrimination complaint procedure and ensure that employees and the public are aware of that procedure. Information regarding the complaint procedure should be readily available when requested.
- ***Program delivery issues to consider.*** Consider whether a project is performed in an equitable manner, (project decisions must be nondiscriminatory), the location, eligibility requirements, hours of service, and the methodology of service delivery should not have an adverse effect on minority applicants/beneficiaries based on race, color, or national origin. Determine whether the level of service provided is the same for minority and non-minority beneficiaries. Does the entity employ staff in beneficiary contact positions without regard to race, color, or national origin? Consider whether or not staff members are aware of their responsibility to provide services without racial/ethnic discrimination. If discrimination is discovered, there should be established procedures the sub-recipient follows to ensure compliance.

Most federal agencies dispense a large proportion of their program funds through continuing state programs. Each federal agency's Office of Civil Rights can also answer questions on applicability and enforcement. The U.S. Department of Justice's Coordination and Review Section has the coordination responsibility for the federal Title VI enforcement effort. Title VI cannot work unless state and local governments actively enforce the law, and people in the community are aware of their rights.